

THE OFFICE ACTION

In the Office Action issued on August 2, 2006, the Examiner rejected claims 1-7 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,995,723 to Sperry et al. ("Sperry").

REMARKS

Applicants have carefully considered the Office Action. Applicants respectfully request reconsideration of the application in light of the following comments.

A. The Pending Claims Are Not Anticipated by Sperry

The Examiner rejected all pending claims under §102 as anticipated by Sperry. The Examiner states that Sperry discloses a partial print provider (processing system 10 shown in Figure 1) that permits a first print spooler (print spooler 44 of Fig. 2) associated with a network print server (print provider 38 of fig. 2) to interface with a second print spooler associated with the network print server.

Applicants disagree with this rejection for several reasons. First, despite the Examiner's arguments, the one or more spoolers referenced in col. 8, line 1, are associated with the print assistant 42, NOT the print provider 38, as the Examiner claims.

Second, the "one or more spoolers" referenced by the Examiner appear to each INDIVIDUALLY be associated with the "one or more print provider 38" (see col. 7, line 53). That is, there can be one or more print providers in the system in communication with the print request router, as detailed where it states "the print provider set typically includes multiple instances of print providers to accommodate for the various types of printers or print-related devices on the network" (col. 7, lines 54-57). However, only a single print spooler is associated with each print provider, as shown in Fig. 2. There is no indication that multiple print spoolers are associated with any one print provider, as the Examiner suggests.

As recited in the present claims, however, we recite a print provider that allows the interface of a first (usually commercial) print server print spooler with a second (typically proprietary) print server print spooler. As recited, both print spoolers are located on and associated with the print server. This is shown in Figure

3 of the present application with the NT spooler 22 and the proprietary spooler 72. A third print spooler (14 in figure 1) is still located on and associated with the individual workstations. This workstation print spooler sends the print job over the network to the print server, which contains the first and second print spoolers and the print provider that allows interaction between these two print server spoolers. Sperry does not disclose two print spoolers associated with any one print server as claimed. Thus, Sperry fails to anticipate the present claims.

CONCLUSION

In view of the foregoing amendments and comments, Applicants submit that claims 1-7 are in condition for allowance. Applicants respectfully request early notification of such allowance. Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned to attempt to resolve any such issues.

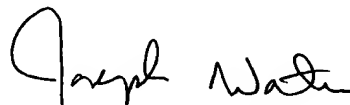
If any fee is due in conjunction with the filing of this response, Applicants authorize deduction of that fee from Deposit Account 24-0037.

Respectfully submitted,

**FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP**

Date: _____

Oct 30, 2006



Joseph E. Waters, Reg. No. 50,427
Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
216/861-5582